



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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In Reply Refer To:
1786 (95300) P

March 12, 2004

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Instruction Memorandum No. NM-2004-042
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To: FM's, DSD's, Chief-OEA, and EEO Manager

From: Deputy State Director, Support Services

Subject: Memorandums of Understanding (MOU) Policy

This policy assigns responsibility for generating, numbering, filing, tracking and canceling MOU's. The MOU's are documents that result from unfunded "handshake" cooperation between BLM and other Federal agencies, State/local governments, or the private sector for whom mutual benefit would be derived under specified terms.

Involvement for MOU's within BLM NM/OK/TX is comprised by one of the following:

- Supplements to Bureau level MOU's generated by the Washington Office
- Statewide or State level agreements
- Agreements generated by more than one Field Office within NM/OK/TX
- Agreements generated by outside parties

Specific guidance for generating MOU's is outlined in BLM Manual 1786, Memorandums of Understanding. The MOU's should not be confused with assistance agreements. An assistance agreement is a legal instrument which transfers Federal assistance (usually funds) to a State or local government or other recipient (see BLM Manual 1511). Assistance agreements should be reviewed and finalized by the Administrative Support Center NM, (95400). In addition, a reimbursement agreement is an agreement between the BLM and another Federal agency in which BLM provides goods and/or services, and receives authorization of payment. The authorization must be received prior to initiation of the project. Reimbursement agreements should be reviewed and issued by the Budget staff NM, (95000).

The State Director must sign all State-level MOU's or MOU's which involve more than one

Field Office. Field Managers may sign MOU's within their jurisdictional area of responsibility. (See BLM NM Manual Supplement 1203, Delegation of Authority, for delegations.)

Authors of MOU's are reminded that all MOU's must be reviewed by the designated MOU coordinator prior to signature. (The MOU coordinator is designated as the local Records Manager. If an office does not have a designated Records Manager, the Administrative Officer or Field Manager must appoint an MOU coordinator.) The MOU's signed by the State Director shall be reviewed by the State Records Manager Eve Salisbury, NM (95300) prior to signature. Employees generating MOUs must:

1. Follow guidance for creating an MOU outlined within BLM Manual 1786, Memorandums of Understanding.
2. Include a definite duration or review timeframe within the MOU.
3. Submit a draft MOU for review by the MOU coordinator prior to signature by any party.
4. Request an MOU number from the appropriate organizational level coordinator.
5. Create an original MOU for each involved party.
6. Ensure all involved parties sign and date each original MOU.
7. Return one signed and numbered original to each signing party. The original signed MOU for BLM will be provided to the MOU coordinator for numbering and retention.
8. Provide an electronic version of the MOU to the MOU coordinator for posting to the Intranet. Field Office MOU coordinators may send electronic versions of MOU's to the State Records Manager for posting to the Intranet.
9. Inform the appropriate MOU coordinator when an MOU should be cancelled or revised.

The MOU coordinator shall:

1. Review all MOU's for format and consistency in accordance with BLM Manual 1786, Memorandums of Understanding.
2. Number all MOU's once signed by all parties.
3. Maintain a numeric historical log for tracking of all MOU's. (The effective date of the MOU will be the last signature date. For an example of an MOU log, you may access the NMSO's Records website or contact the State Records Manager.)

4. Retain an original, numbered MOU along with pertinent supporting documents in a historical file. Each MOU should have its own historical file. The historical file is considered a permanent file in accordance with BLM Records Disposition Schedule 16, Item 16a.

5. Review historical MOU files with the specialist at least every 5 years to determine if the MOU is still in effect.

The State level MOU index for active MOU's may be viewed from the NMSO Records website at web.nm.blm.gov/records/mou/MOU_Log_active.htm.

Questions pertaining to MOU's may be directed to Eve Salisbury, State Records Manager, at (505) 438-7417. Questions pertaining to this policy may be referred to Eileen G. Vigil, State Records Administrator, at (505) 438-7636.

Authenticated by:
Eve Salisbury
Records Manager

Signed by:
Christopher P. Hopkins
Acting

Distribution

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